

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

MOUNTAIN WATER DISTRICT;)	
RHONDA JAMES, COMMISSIONER AND)	
CHAIRPERSON; LESTER "JOHN" COLLINS,)	CASE NO.
COMMISSIONER; TONI AKERS, FORMER)	2015-00353
COMMISSIONER; AND MIKE LITAFIK,)	
FORMER COMMISSIONER)	
)	
_____)	
)	
ALLEGED FAILURE TO COMPLY WITH)	
KRS 278.300(1))	

ORDER

On November 2, 2015, the Commission issued an Order finding that a *prima facie* case has been made that Mountain Water District ("MWD") violated KRS 278.300, and that Rhonda James, Lester "John" Collins, Toni Akers, and Mike Litafik (collectively, "Commissioners"), individually acting in their respective capacities as current or former members of MWD's Board of Commissioners, willfully aided and abetted in the above violation. That Order directed the Respondents to submit responses to the allegations within 20 days of the date of the Order and to appear at the Commission's office on January 5, 2016, and be prepared to show cause why they should not be subject to the penalties prescribed in KRS 278.990(1) for the alleged violation of KRS 278.300.

On November 23, 2015, MWD and each named MWD Commissioner filed individual responses to the allegations contained in the Commission's Order. The MWD Commissioners also filed a joint motion for a conference with Commission Staff for purposes of considering the possibility of settlement, simplifying and clarifying issues,

and any other matter that may aid in the handling and disposition of the case, including rescheduling the January 5, 2016 hearing date.

On December 1, 2015, the MWD Commissioners filed another joint motion for conference, this time with MWD concurring in the request. In that motion, the Respondents requested that the January 5, 2016 hearing date be used as an opportunity for Commission Staff to hold a conference with the parties' attorneys for purposes of considering the possibility of settlement, simplifying and clarifying issues, and any other matter that may aid in the handling and disposition of the case. In support, the Respondents noted that due to the parties' and counsels' respective calendars in December, including the upcoming gubernatorial inauguration and state holidays, attempting to schedule a Staff conference during December might be difficult and inconvenient. Further, Respondents stated that the current January 5, 2016 hearing date is an inconvenient date for some of the individual Respondents to attend, but that Respondents' counsel would be available to attend a PSC Staff Conference on their behalf at that time. Therefore, Respondents' counsel requested that a conference with PSC Staff be scheduled on January 5, 2016.

IT IS THEREFORE ORDERED that:

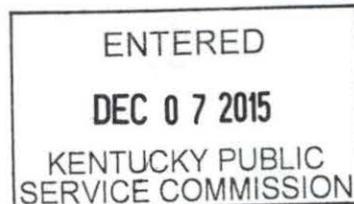
1. An informal conference shall be held on Tuesday, January 5, 2016, at 9:00 a.m. Eastern Standard Time ("EST"), in Conference Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. Respondents' counsel shall attend and be prepared to discuss the possibility of settlement, simplification and clarification of issues, and any other matter that may aid in the handling and disposition of the case.

2. The previously scheduled January 5, 2016 hearing date is rescheduled to Tuesday, February 2, 2016, at 9:00 a.m. Eastern Standard Time ("EST"), in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky. The above-named MWD Commissioners shall appear at that time and be prepared to show cause why they should not be subject to the penalties prescribed in KRS 278.990(1) for the alleged violation of KRS 278.300.

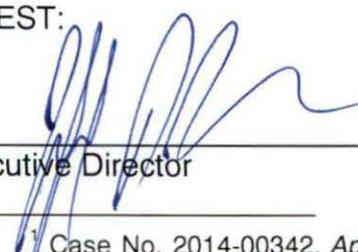
3. The Tuesday, February 2, 2016, 9:00 a.m. EST hearing shall be recorded by videotape only.

4. The record of Case No. 2014-00342¹ shall be incorporated into this case by reference only.

By the Commission



ATTEST:



Executive Director

¹ Case No. 2014-00342, *Application of Mountain Water District for an Adjustment of Water and Sewer Rates* (Ky. PSC Oct. 9, 2015).

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